

**REMARKS**

Claims 1, 3, 6, 8, 11, 13, 16, 18, 23 and 24 have been amended. The application as amended contains claims 1, 3, 5, 6, 8, 10, 11, 13, 15, 16, 18 and 20-26 – ten independent claims and a total of eighteen claims. The applicable fee (\$420.00) for the additional independent claims is being submitted concurrently herewith. Please charge any deficiency in the fees to Deposit Account 04-1073. Applicant reserves the right to pursue the original claims and other claims in this and other applications.

Claims 1, 3, 5, 6, 8, 10, 11, 13, 15, 16, 18 and 20 are rejected under 35 U.S.C. § 103 as being unpatentable over Tosaki in view of Inchalik. Reconsideration is respectfully requested. The claims have been amended to obviate the rejection. In particular, claim 1 has been amended to emphasize that the recited “error information” is generated as a result of the impossibility of acquiring the specific information from the medium. In the amended claim, the term cannot be construed so broadly as to be readable on tracking error signals and the like. Please refer to the last paragraph of amended claim 1. An example of the recited “error information” is the illegal request indication made in step 6, in Fig. 1 of the present application (see page 13, lines 19-25, and page 16, lines 4-8). According to the claimed invention, “the medium is determined to be authorized [“yes” from step 6] based on the error information.”

The prior art references fail to suggest the method of amended claim 1, “used . . . in a read-only optical disk drive which cannot acquire the specific information . . . such that . . . a request to acquire the specific information . . . causes the . . . drive to generate error information, and wherein the medium is determined to be authorized based on the error information.” Therefore, claim 1, as amended, should be allowable over the prior art references. Claims 21 and 22 depend from claim 1 and should be allowable along with claim and for other reasons. Claims 3, 5, 6, 8, 10, 11, 13, 15, 16, 18 and 20 have been amended similarly, though not identically, to claim 1, and should be allowable for reasons similar to those discussed above in connection with claim 1 and for other reasons.

Claim 23 is rejected under 35 U.S.C. § 103 as being unpatentable over Tosaki and Inchalik, and further in view of Teramoto. Reconsideration is respectfully requested. The claim has been amended to obviate the rejection. Claim 23 as amended says that “the medium is determined to be authorized based on an error code.” An example of the claimed invention is shown in Fig. 1, steps 6 and 4, where the starting process is continued in response to an error code that indicates an illegal request. In contrast to the claimed invention, Teramoto refers to outputting an error indication (S60) when reproduction is stopped (S50).

The allowance of claims 24-26 is gratefully acknowledged.

Allowance of the application as amended, with claims 1, 3, 5, 6, 8, 10, 11, 13, 15, 16, 18 and 20-26, is solicited.

Dated: March 19, 2008

Respectfully submitted,

By 

Mark J. Thronson

Registration No.: 33,082  
DICKSTEIN SHAPIRO LLP  
1825 Eye Street, NW  
Washington, DC 20006-5403  
(202) 420-4742  
Attorneys for Applicant